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WILD HORSE AND BURRO ADOPTION PROGRAM

POLICY ANALYSIS TEAM REPORT

BUREAU OF LAND MANAGEMENT

April 18, 1997

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WILD HORSE AND BURRO ADOPTION PROGRAM
POLICY ANALYSIS TEAM REPORT

INTRODUCTION

In January 1997, the Director chartered and established a temporary Policy Analysis Team (Appendix A) to review all aspects of the Bureau of Land Management's (BLM) Wild Horse and Burro (WH&B) Adoption Program. The Team's mission was to analyze the current program and make recommendations for changes in policy and procedures to better ensure that adopted animals receive short- and long-term humane care. Additionally, the Team was charged with reviewing policies for adoptions by BLM employees.

The Policy Analysis Team divided itself into subgroups to do preliminary research on three sets of issues:

- Employee adoptions,
- Allegations of sales of adopted WH&Bs for slaughter, and
- Compliance program and management issues including training for employees.

The Team's work was assisted by program information supplied by the National Program Office, the results of a BLM Law Enforcement staff on-site review at United States and Canadian slaughterhouses, interpretations of applicable laws and regulations supplied by the Office of the Solicitor, and the results of an employee questionnaire distributed by the Team (Appendix B). The Team wishes to express our appreciation to all of the employees who assisted us in the information and data-gathering phase of our work.

Following our preliminary research effort and some initial development of options by the subgroups, the full Team met in Phoenix, Arizona, during the week of February 10, 1997. The recommendations in this report are consensus recommendations developed at our meeting. Before deciding on our final recommendations, we developed a mission statement for the adoption program and defined success indicators for an optimum program. We then defined the current barriers to success. These activities allowed us to develop all of our recommendations with a view toward overcoming barriers and achieving well-defined results. This process also gave the Team substantial confidence in our recommendations as meaningful improvements to the current program.

The recommendations in this report are presented in six categories, defined at our Phoenix meeting, which are:

- Compliance Activities (including titling),
- Employee Adoptions,
- WH&B Data System,
- Training,
- Public Outreach, and
- Management/Accountability.

The History and Background section which follows traces the Bureau's overall experience with the WH&B Adoption Program and discusses successes as well as problem areas. This section also includes the results of some of our Team's research relevant to the assignment and to our recommendations. Reviewing this material first will assist readers in understanding and evaluating the rest of this report, which has a Background and Analysis section, the proposed Success Indicators, and Recommendations and Discussions for each of the six major program categories.

We believe our report complements the work of the Emergency Evaluation Team (Pierson Committee) which focused primarily on general management and herd management issues. To the extent our recommendations overlap, they are consistent with the Emergency Evaluation Team's recommendations.

Some of the recommendations in this report will require additional resources to implement, particularly the recommendations in the **COMPLIANCE** and **TRAINING** sections. The estimated additional costs are $1.5 million beginning in Fiscal Year 1998. The Policy Analysis Team believes that establishment and achievement of Appropriate Management Levels (AMLs) in Herd Management Areas (HMAs) is the highest overall WH&B priority. Efforts toward this objective should not be reduced to provide funding or staff time for implementation of our recommendations.

HISTORY AND BACKGROUND

The Wild Horse and Burro (WH&B) Program has had a colorful and at times very controversial history. A brief chronology was developed so the Team would have the same points of reference and a common knowledge (Appendix C).

Since passage of the Wild and Free-Roaming Horse and Burro Act in 1971, BLM's adoption program has been the best and most economical means available for providing long-term humane care for excess animals gathered from Western herd management areas. Gathers and adoptions provide for maintaining wild herds at population levels that protect the health of the land and the welfare of the remaining animals in the wild. Absent gathers, natural reproduction increases herd size by approximately 18 percent each year, quickly leading to conditions where water supplies and forage are inadequate in the winter months, and drought conditions have grave consequences. By stabilizing herd size, gathers and adoptions prevent unhealthy rangeland conditions and eventual slow death for wild animals and wild horses from starvation.

Primary alternatives to the adoption program include humane destruction, establishing wild horse sanctuaries, and utilizing fertility control measures. Humane destruction of healthy animals for which no adoption demand exists is permitted under the 1971 Act, but has been prohibited by Appropriation Act language since Fiscal Year (FY) 1988. Sanctuaries have been established but have not proven successful as self-supporting operations. The long-term cost of maintaining animals in federally funded sanctuaries has been criticized as extremely expensive, and not a solution for large numbers of animals. To date, contraceptive research has not resulted in a product that is successful beyond one breeding season (Appendix D). Until such a product is available, adoptions will remain the lowest cost and most humane and practical option available.

BLM has developed substantial and growing public interest in the private adoption of wild horses and burros. In recent years, approximately 9,000 animals per year have been adopted. The average total costs for gathering, preparing, and adopting wild horses and burros is $1,100 per animal.

Gathered wild horses and burros are available for adoption by the public during scheduled events at several BLM-managed holding facilities in the Western States and at the Bureau's Eastern States Holding Facility in Cross Plains, Tennessee. In addition, BLM conducts "satellite" adoptions (temporary site adoptions) at about 40 locations each year. Public interest in wild horses and burros as "living legends" and "symbols of the old West" is high in the Eastern United States where most satellite events are held and about 60 percent of total adoptions occur.

Prior to or at adoption events, adopters complete an application and are screened for their suitability to adopt wild horses or burros. If approved, the qualified adopters pay a $125 adoption fee and sign a Private Maintenance and Care Agreement (PMACA) for each animal adopted (up to four per year per individual adopter). The agreement commits the adopter to provide humane care (including transportation, feeding, and handling). After one year of humane

care, adopters are eligible under the Act to receive title to the wild horse or burro. Upon titling, the animal loses its protected status under the Act and becomes the private property of the adopter. This fact must be emphasized because it has caused confusion in the recent past. The animal becomes private property and is no longer Federal property once title is issued.

In the early years of the WH&B Adoption Program (from FY 1973 to the beginning of FY 1979), there were no titling provisions for adopted wild horses and burros. From FY 1979 through FY 1986, adopters did not apply for title until after the one-year holding period. Since FY 1987, the title application has been incorporated in the PMACA which is signed at the time of adoption. However, adoptees are still required to furnish a statement of humane care from a veterinarian or other qualified knowledgeable individual at the end of the one-year waiting period before title is issued. The titling process is unique for wild horses and burros; there is no equivalent system for domestic animals. Also, there is no requirement to maintain a chain of title (such as for real estate) after title has been issued to the adopter.

I. COMPLIANCE and TITLING

Background and Analysis

BLM's compliance program is intended to ensure that adopted animals receive humane care while they remain Federal Property under the terms of the Act. All untitled animals since passage of the Act are Property of the United States. The compliance program provides for the investigation of all complaints of inhumane treatment of adopted, untitled animals. The program also currently provides for on-site compliance visits to about 5 percent of the untitled animals each year.

Table 1 summarizes data on adoptions and titling since the inception of the adoption program, and Table 2 summarizes current (FY 1993) compliance program activity.

Table 1.--Adoption and Titling Data
(Source: BLM WH&B Database)

Adoptions		
Total animals adopted prior to establishing titling opportunity (FY 1971 through FY 1978)	9,331	
Total animals adopted since establishing titling opportunity (FY 1979 to present)	140,568	149,899
Titles		
Total animals voluntarily titled from FY 1973 through FY 1978 (prior to titling opportunity)	1,860	
Total animals titled from FY 1979 adoptions to date (since titling requirements changed)	99,995	
Total animals titled		101,855
Total animals untitled		48,044
Less:		
Untitled animals for which death records have been received	6,121	
Animals recently adopted but not yet eligible for title	9,194	
		-15,315
Untitled animals eligible for title and for which complete title application has not been received		32,729
Titling success rate before and after FY 1986, when regulations for title application changed		
Between FY 1979 and FY 1986		66 percent
Since FY 1987		84 percent

Table 2.--BLM WH&B Compliance Checks in FY 1996

State	No. of Checks Completed	No. of Complaints	Repossessed*
Arizona	139	1	0
California	55	17	0
Colorado	245	6	6
Eastern States**	835	95	35
Idaho	41	3	0
Montana/Dakotas	486	6	0
Nevada	89	6	5
New Mexico, Oklahoma, and Texas	780	3	2
Oregon/Washington	50	6	0
Utah	39	6	1
Wyoming/Nebraska	57	42	4
TOTAL	**2,186*** **	**191**	**53**

* Repossessions are a decision process that result in removing the animal from the adopter. Individuals may also request the BLM to reassign their animal in lieu of repossessing it. The BLM in FY 1996 reassigned to new adopters a total of 317 previously-adopted wild horses or burros.

** 31 states east of or immediately adjacent to the Mississippi River in the jurisdiction of BLM's Eastern States office.

*** Slightly exceeded current policy to do random compliance checks on 5 percent of untitled animals on a national basis.

Table 1 shows titling has improved to 84 percent of adopted animals in the past decade. This is a strong indicator that a large majority of adopted animals are receiving humane care for the initial year following adoption, with a strong probability of them continuing to receive such care. Nevertheless, the relatively large number of untitled, but eligible for title, animals is a concern to BLM and the subject of substantial public criticism of the adoption program.

The titling process occurs by mail, and BLM does not currently have the staff capability to adequately follow up on adopters who fail to complete the process for gaining title to their adopted animal(s). Some of the identified reasons for failure to title include: the animal died; the animal was traded, given away or sold; the adopter forgot about getting title; the adopter thought title was automatic; the adopter didn't want title because the animal would lose its mystique; the adopter moved; tragedy or death of the adopter; and problems in the database.

The larger the number of untitled animals, the larger the workload for compliance, with the current policy to check 5 percent of untitled animals. In a purely statistical sense, a 5-percent random-compliance program is adequate to make statistically reliable conclusions about the total population of untitled adopted animals. However, most BLM employees and the Policy Analysis Team agree that the 5-percent random-sample compliance program is inadequate as a deterrent to unauthorized sales and transfers of animals before title. This is one of the reasons why the percentage of adopted animals that are untitled is significant. Further, the random-sample compliance program is considered too small to detect and help adopters correct relatively minor problems that can become issues, ultimately discouraging adopters from providing quality care for the long term.

The subject of much public criticism of the adoption program is that some adopted animals end up at slaughterhouses. Slaughter sales before title are a crime. However, slaughter sales in general offend the sensibilities of many Americans, but others see this as an acceptable method of disposing of unwanted animals.

Immediately preceding the work of the Policy Analysis Team, BLM Special Agents visited all U.S. Department of Agriculture licensed plants in the United States and one major plant in Canada that slaughter United States' horses for human consumption. The results of this effort are summarized in Table 3. The data covers calendar years 1995 and 1996.

BLM has no statutory authority to prevent sales for slaughter after a title is given for a particular animal. However, some people view sales of healthy younger animals as inconsistent with the general intent of the Wild Horse and Burro Act. Slaughter sales of healthy young animals can also be legitimately criticized as a waste of at least a portion of the taxpayers' investment in gathering and adopting wild horses and burros.

Table 3.--Summary of 1995-96 Investigative Data on Slaughter Facilities

Licensed facilities visited (one stopped processing horses in July 1996)	9
Total horses processed for slaughter at the plants during 1995 and 1996	266,274
Total wild horse titles examined/recovered (some files covered a several-year period)	155 1/ 2/
Estimates of other wild horses processed annually at facilities visited	334 3/ 4/

1/ Some slaughter plants indicated they would not process horses unless they received title. Others are collecting and retaining titles when available, but not as a condition for processing.

2/ BLM Special Agents indicated that, on average, titles were 2-3 years old when animals reached slaughter plants--some much older, being adopted in the1980's, and some with 1995 and 1996 dates.

3/ Estimates from plants not requiring titles. In each case, these plants had some titles included in the 155 total above.

4/ In some cases, plant records contained freeze-brand numbers but not titles. BLM has not found any untitled animals among the animals for which freeze marks could be recovered. Total estimated wild horses processed annually was 334 based upon documents recovered and estimates by plant managers. About 200 of the 334 animals were from plants which had neither a title nor record of freeze marks. It is possible some of this total could be untitled animals.

Comparing the slaughter data to current adoption rates indicates that slaughter sales are a relatively low percentage of the total number of animals adopted annually--roughly 330 slaughter sales compared to 9,000 adoptions, or less than 4 percent of animals adopted on a yearly basis. This data also shows that about one-quarter of one percent of the horses processed annually at the slaughter plants were titled adopted wild horses. Additionally, the review did not disclose any direct evidence of sales of untitled animals for slaughter. However, since many slaughterhouses did not have full records, the Team considers it likely that at least a modest number of untitled animals are processed to slaughter each year. Some cases of such sales have been detected and prosecuted under the existing compliance program.

Additionally, the review disclosed that the average time of sales for slaughter (where freeze brands on titles were available for examination) was 2 to 3 years after titling. That indicates that slaughter sales do not necessarily involve older animals at the end of their natural life span.

News stories that "thousands," or a large majority, of adopted animals are sent to slaughter appear to be incorrect and sensationalized based on the results of the Special Agents' review. Nevertheless, the Policy Analysis Team believes that appropriate actions can and should be taken with the objective of significantly reducing slaughter sales of healthy young animals.

The Team's recommendations in the section which follows are designed to substantially strengthen the compliance and titling program to better protect the general welfare of adopted animals while they remain Federal Property and to increase the likelihood of continuing humane care after title is issued. The recommendations include a realistic one-time effort to address older cases of untitled animals and new efforts to achieve the following success indicators identified by the Team.

Success Indicators

- Increase titling rate to 95 percent of all new adopted animals,
- Reduce slaughter sales of younger animals by 50 percent,
- Eliminate slaughter sales of untitled horses, and
- Provide for early detection and correction of minor compliance problems.

Recommendations and Discussions

I.A. Recommendation: Letters be sent to every eligible adopter of record without title, back to 1973. Use Internet capabilities and inexpensive outreach activities to update addresses. The letter to the adopters who adopted 5 or more years ago will indicate that the request is only for information purposes and for issuance of title if the adopter still has the animal. (Responses from adopters in this category will not generate enforcement actions because the Statute of Limitations would apply.)

The mailing will trigger several actions based on the results:

1. Letter delivered and the adopter responds:
   - Document outcome in database,
   - Title as appropriate, and
   - No enforcement action for animals adopted over 5 years ago for adopters who provide information on status of horse (due to Statute of Limitations). However, violation will be the basis for annotation as an unqualified adopter in the database.

2. Letter delivered but no response from adopter:
   - Attempt to call,
   - Schedule physical compliance check,
   - Document outcome in database, and
   - Title as appropriate.

3. Letter not deliverable to adopter:
   - No further action for adoptions over 5 years old, except notation in database on the adopters, and
   - Request law enforcement assistance to locate adopters if they were adopted in the past 5 years.

Discussion: Extensive compliance efforts for animals adopted over 5 years ago will be expensive and not likely to yield a large reduction in untitled animals from this period. Also the Statute of Limitations will prevent enforcement for violations that occurred over 5 years ago. Many adopters move and horses are commonly sold and traded several times during their lifetimes. Also, many adopted animals from the early years of the adoption program will have lived out their natural life spans by this time (see Recommendation I.B.). An effort several years ago by BLM's Eastern States office to title animals from old adoptions through an attempt to contact the adopters by certified mail yielded about 10-percent return in titling and provided information for recording deaths for about an additional 10 percent of the untitled animals involved. The Team believes that a nationwide, one-time similar effort for untitled animals from older adoptions will be worthwhile.

I.B. Recommendation: Create a status indicator in the WH&B database for animals adopted over 5 years ago, following completion of I.A. above. These animals will not be subject to the random-sample compliance program. Designate untitled animals over 30 years old as "dead" in the database.

Discussion: This recommendation will be implemented only after completion of the Recommendation I.A. initiative to title and update death records for horses adopted more than 5 years ago. This effort will help clean the WH&B database by identifying as "dead" the untitled animals over 30 years old (more than the average life expectancy of a horse) and flagging the remaining untitled animals from adoptions more than 5 years ago as "inactive cases" for random-sample compliance purposes. This will not preclude updating individual animal records as new information is obtained. Complaints received by BLM will continue to trigger compliance inspections for all untitled animals.

I.C. Recommendation: Develop strategy with the Department of Justice to prosecute egregious cases (Solicitor, Justice, BLM partnership), and adopt uniform national policy on issuing citations or a summons to all adopters selling or transferring animals before title (adoptions within last 5 years).

Discussion: This recommendation is intended to secure more uniform support from United States attorneys for egregious violations, particularly illegal sales and transfers of untitled animals. As a corollary to this recommendation, BLM's law enforcement personnel will actively enforce 43 CFR 9260 at all United States slaughterhouses requiring that titles be obtained for all wild horses accepted for slaughter (see Recommendation I.G.).

I.D. Recommendation: Telephone or physically check 100 percent of all new adoptions within 6 months after adoption.

Discussion: This recommendation will achieve the dual purpose of assisting adopters having early difficulties and alerting them to BLM compliance presence. BLM specialists will use this procedure to introduce new adopters to volunteers living in the same general area who have had success with their adopted animals and are willing to assist new adopters by providing advice.

I.E. Recommendation: Increase on-site compliance inspections to assure statistically that 95 percent of untitled animals adopted within the last 5 years are being properly cared for in compliance with the PMACA signed by adopters. The assurance of the 95-percent compliance recommendation includes on-site inspections under Recommendation I.I. below. Use MOU with Animal and Plant Health Inspection Service, Humane Society, State Animal Control, State Brand Inspectors, local or State Society for the Prevention of Cruelty to Animals chapters, etc., to allow trained officers to perform the physical inspection, where appropriate, to reduce additional BLM FTE requirements to implement this recommendation.

Discussion: Currently, BLM's policy is to do on-site random compliance checks on at least 5 percent of untitled horses each year in each State Office's jurisdiction. Accomplishments vary by office, but BLM is meeting the current policy objective on a national basis (see Table 2). However, our compliance efforts have only achieved an 84-percent current titling rate and some other compliance problems are identified and subsequently corrected prior

to title issuance. Full compliance is, therefore, somewhat below 84 percent. Achieving 95-percent compliance is statistically considered a reasonable policy objective, and is defined as assurance that 95 percent of all adopted animals are proceeding to timely title after 1 year, with no compliance problems noted. The 95-percent compliance clearly requires an increase in the current level of on-site compliance effort. The precise increase in the sample size to achieve the goal cannot be determined in advance. The Team recommends doubling on-site compliance checks from approximately 2,200 per year to 4,400 per year. The on-site compliance visits will be augmented by the telephone call checks under Recommendation I.D. and the effects of other actions recommended in this report. In our judgement, there is a good possibility that these combined efforts can achieve the 95-percent goal. Actual accomplishments will be measured on a standard, statistical sampling basis with a 5-percent confidence interval, and the level of effort can be adjusted in future years depending upon actual success in meeting the goal.

I.F. Recommendation: Prepare and issue Compliance Handbook including:

- Repossession guidelines,
- Documentation requirements, and
- Administrative action guidelines (delayed titling, etc.).

Discussion: A Compliance Handbook is needed to support uniform compliance activities on a national basis.

I.G. Recommendation: Enforce 43 CFR 9260 to ensure slaughterhouses keep the titles of adopted wild horses and burros for at least 1 year.

Discussion: Some United States slaughterhouses have been cooperating with BLM law enforcement personnel by using freeze brands to check title status when the slaughterhouse receives a wild horse or burro without a title. BLM repossesses animals before slaughter in these situations if the freeze brand indicates an untitled animal. A more effective procedure would be for BLM law enforcement to fully enforce 43 CFR 9264.7(a)-15 which requires slaughterhouses to keep the actual title on file for 1 year from the time of purchase by the slaughterhouse. Strict enforcement of this regulation using unannounced visits, with citations and prosecution as appropriate, should keep slaughterhouse buyers from purchasing freeze marked horses and burros without receiving the actual title. The possibility of untitled animals going to slaughter would thus be substantially reduced at least at United States slaughterhouses. We should also seek compliance with this regulation at Canadian slaughter plants which purchase animals in the United States.

I.H. Recommendation: Adopt policy that all adopters will be issued title when the animal is eligible for titling, inspected, and is being properly cared for.

Discussion: A small percentage (around 5 percent based on informal samples) of adopters not complying with title requirements is the result of adopters wishing to maintain animals which continue to have legal status as wild horses or burros. BLM has not required delivery/receipt of title to these adopters in the past, but this keeps the animals in the active compliance workload. However, because the title says the adopter is receiving "A Wild Horse or Burro," which includes the mystique of wild and free-roaming, title will be issued to help manage the BLM database. Adopters are free to discard/destroy titles after receipt and will be so advised if they object to receiving title. This category of adopter is generally not a compliance problem. In certain other special situations, e.g., the Kentucky Horse Park Mustang Troop, where titling may not be desired, Memoranda of Understanding rather than PMACAs could be used to transfer physical custody of some animals. This will also help clarify the adoption database for compliance program purposes. Should animals covered in a MOU no longer be needed by the cooperator under the terms of the agreement, they would be returned to the BLM and placed in the adoption program.

I. I. Recommendation: Beginning with new adoptions, send a certified letter to people who have not applied for title after 15 months. This will result in two possible scenarios if the response does not include the humane care certification required for title:

1) If delivered and no response, do 100-percent site compliance.

2) If letter cannot be delivered (they moved without telling us or gave incorrect information on their application), turn over to law enforcement to locate and further follow up, and make notation in the database.

Discussion: This procedure, coupled with increased random-sample inspections (Recommendation I.E.), is expected to achieve the desired outcome of titling at least 95 percent of newly adopted animals.

I.J. Recommendation: Conduct a feasibility study on requiring a refundable security deposit for each adopted animal, to be paid at the time of adoption. The refund would be triggered when the animal is titled. If feasible, initiate regulatory change.

Discussion: A refundable security deposit would be an incentive to titling. If a veterinarian is used to provide the humane care certification for titling, the refund would generally exceed the veternarian's charge. Other BLM-qualified individuals would also continue to be acceptable for titling certification. If implemented, this recommendation should reduce the requirement for on-site inspections by BLM personnel under Recommendation I.I.

I.K. Recommendation: Increase time, effort and money to find more good homes for older stud horses. This should be achieved by increasing outreach and gentling older animals before they are adopted, through gentle training techniques or the WY Honor Farm Educational Program.

Discussion: Some adopters have difficulty gentling older horses, and these animals are often difficult to adopt. Increased efforts are needed to find good homes for these animals. Also, as an incentive to adopters and to reduce compliance problems, BLM will utilize quick halter-breaking or gentling techniques for older animals prior to adoption. This increases up-front adoption costs but overall should reduce program costs because there will be a reduced compliance workload and fewer older animals will be shipped to multiple adoption events before they are successfully adopted.

I.L. Recommendation: Continue current policy of 100-percent inspection on all complaints.

Discussion: This recommendation is to continue the current policy of checking on 100 percent of the complaints we receive.

II. EMPLOYEE ADOPTIONS

Background and Analysis

BLM employees and their immediate family members, and BLM WH&B contractors, have been allowed and even encouraged to adopt wild horses and burros since the inception of the adoption program. Many Bureau employees live and work in rural areas or in small towns in the West where owning and maintaining horses is feasible and common. Our employees tend to be outdoor people, many of whom have an affinity for horses and are excellent adopters. In round figures, approximately 200 BLM employees currently have adopted a total of about 600 wild horses and burros.

A national news story recently accused BLM employees and other adopters of "profiteering" by selling adopted horses for slaughter. The BLM Special Agents' review of slaughterhouse records disclosed only one case of an animal adopted by a BLM employee being sold for slaughter in the last 2 years. Follow up on that case indicated that the employee had sold the animal to a neighbor after titling and obtaining the neighbor's verbal assurance that he did not intend to sell the animal for slaughter. The employee did not violate the Wild Horse and Burro Act and, in fact, unsuccessfully sought a safeguard beyond the Act's requirements when selling his horse.

The cost of privately maintaining a horse in the United States averages about $1,000 a year for feed, veterinary and farrier services, etc. At current prices, slaughter sales range from about $300 to $700 an animal. Thus, it is almost impossible for any adopter to earn a "profit" from selling a titled former wild horse or burro for slaughter. At best, slaughter sales would only represent a partial recovery of an adopter's investment for the one-year holding period prior to title. Slaughter sales are only attractive as an alternative to other methods of disposing of unwanted animals, and most such sales occur through a third party such as a livestock sales facility where a slaughterhouse buyer offers the highest or only bid for an animal.

No other cases of commercial exploitation of adopted animals by BLM employees were identified by the Policy Analysis Team. On the other hand, several team members were personally familiar with cases where BLM employees had cared for and adopted orphaned foals and injured animals which otherwise were unlikely to survive the gather and adoption process. Other cases of BLM employees using their adopted animals to promote the adoption program or other public service activities, such as riding programs for handicapped children, were noted.

This Team also was requested to consider allegations of "high-grading" by employees. Employees and contractors, by virtue of their positions, should not have opportunities to select the best animals, or "high-grade," when adopting. Any such actions would violate statutory prohibitions against using public office for private gain. Even the appearance of high-grading should be unacceptable. Current policy requires that employees only be allowed to adopt on their own time under the same terms as available to the general public.

The Policy Analysis Team believes that employees and their immediate families, and contractor adoptions are beneficial to the overall program. The recommendations below are intended to strengthen current policy and help provide the public with full assurance that employees and contractors do not receive any special consideration or treatment not available to the general public.

Success Indicators

- No real or perceived conflict of interest,
- Everyone is treated equally,
- Employees are fully aware that they have a duty not to use their position for preference, and
- There are no opportunities for unethical personal gain by employees.

Recommendations and Discussions

II.A. Recommendation: Allow employees. their immediate family members, and WH&B Program contractors to continue to adopt wild horses and burros under the exact same rules and regulations that govern general public adoptions, except no employees or their immediate family members or contractors will be allowed to adopt for a reduced fee. Employees must be on off-duty status to adopt.

Discussion: This recommendation will help eliminate allegations of "employee high grading" by clarifying that employees may only adopt wild horses and burros at adoptions that are open and have been publicized to the general public. Additionally, this recommendation adds to current policy by prohibiting employees and contractors from adopting at reduced fees. Reduced-fee adoptions are prohibited since the adopting employees could be participants in the decision-making process to reduce standard adoption fees in some cases. Also, the Team believes any reduced-fee adoption by employees or contractors has the appearance, if not the reality, of special treatment.

II.B. Recommendation: An employee and/or contractor and immediate family (spouse and children who live at the same address and close relatives also living at the same address) must have a field office manager of jurisdiction (i.e., District Manager, etc.) sign his/her PMACA for adoption. As part of the approval process, managers will counsel employee and contractor adopters on applicable ethics and conduct matters and assure themselves that no real or apparent use of public office for private gain has occurred.

Discussion: This recommendation will elevate the approval level for PMACAs with employees/contractors to the local BLM general manager. The purpose is to provide an additional safeguard that employee and contractor adoptions are only approved after a management determination of no appearance of using public office for personal gain.

II.C. Recommendation: Employees, their immediate family members, and WH&B Program contractors are not allowed to adopt repossessed or returned wild horses or burros except through adoption events open to the general public.

Discussion: This follows with Recommendation II.A. that employees are allowed to adopt wild horses and burros under the exact same rules and regulations that govern general public adoptions. This helps to eliminate any real or apparent use of public office for private gain or special treatment.

II.D. Recommendation: Emphasize existing conduct standards to all employees (i.e., using position for gain or special advantage) with respect to adoptions.

Discussion: The purpose of this recommendation is to ensure that all employees are fully aware of existing statutes and regulations concerning conflict of interest and abuse of public office before becoming involved in the adoption process. Training should emphasize that any employee actions that result in "high-grading" or any special opportunities beyond those readily available to the general public would constitute using public office for private gain.

III. WILD HORSE and BURRO DATA SYSTEM

Background and Analysis

BLM maintains a wild horse and burro data system to track excess animals gathered from herd management areas. The system was programmed in Fortran and operates on a Honeywell computer located in Denver, Colorado. It provides for remote-data entry from field locations and maintains individual records for freeze-branded animals including appropriate dates, adopter information, and death records. Compliance data can also be entered into the system but the process for remote entry is very cumbersome. Accordingly, compliance information is not entered in the system from most field offices, and is instead maintained in individual adopter paper files. Specifications for a user-friendly compliance module were developed several years ago, but programming was put on hold pending the migration of the overall system to BLM's new Unix-based Modernization Platform equipment. Other technical improvements in the outdated system are needed.

The process of moving the wild horse and burro data system to the new Unix equipment is underway and is expected to be completed in June 1997.

The data system needs improvement to support the compliance program, including establishing the compliance module with capability to notate adopters and past adopters with a history of compliance violations. The current system does not have that capability.

Success Indicators

- Effective and efficient data collection and retrieval system for tracking animals and adopters,
- A component of the system will be compliance, with ability for notation of problem adopters, and
- A user-friendly system for use by field personnel.

Recommendations and Discussions

III.A. Recommendation: Add Social Security Numbers to the PMACAs. (Request OMB approval to use in PMACA and database.)

Discussion: Because the adopters' names can appear in several forms or spellings such as "E. Smith" and "Ernest Smith," tracking adopters to all their adopted animals is sometimes difficult. Locating adopters who move, particularly across state lines, is also difficult or sometimes impossible. The Social Security Number is a unique identifier which will assist in using the database effectively for compliance and law enforcement actions, as well as making

notations of problem adopters. BLM has previously requested approval for adopters' Social Security Numbers for PMACAs. These requests have been turned down. High-level BLM/DOI support will be required to help OMB understand our need for Social Security Numbers.

III.B. Recommendation: Complete the compliance module by September 30, 1997. The design of the compliance module will be modified to include violation-type codes for violations noted in site visits. Make the compliance module "user friendly" and modify other system components for user friendliness as appropriate. (Note: The existing system is scheduled to be moved to the Modernization Platform by June 30, 1997. This recommendation assumes that the ongoing project will be completed on schedule.)

Discussion: Programming a user-friendly compliance module immediately after shifting the system to the Modernization Platform will allow BLM to begin maintaining and utilizing problem adopter lists by October 1, 1997. These lists will include past adopters who transferred or sold untitled animals illegally or were found to be treating adopted animals inhumanely. Notations can also be made for adopters who returned animals voluntarily prior to titling or committed minor compliance infractions such as not providing fencing or other facilities fully up to standard requirements. Implementation of this recommendation would mean adopters could be screened on a national basis beginning in early FY 1998.

III.C. Recommendation: Establish a Performance Element (or explicit component of a Performance Element) for the person responsible for the WH&B Program in each office covering complete and timely WH&B data-entry responsibility

Discussion: Members of the Policy Analysis Team reported that in their observation some BLM offices did not give adequate priority to keeping the database up to date or supervising the work of data-entry clerks for timeliness and accuracy. This recommendation is intended to correct that condition by making timely and accurate data input a work performance appraisal standard for the data steward in each office. This individual would be the senior employee in the WH&B Program, generally the Lead WH&B Specialist. The recommendation is not intended to require this individual to personally enter database updates, but to be responsible for ensuring the work is done. While this effort would probably mean less field time for the Lead WH&B Specialist, it would give field employees more ownership of their data and would provide a more reliable picture of WH&B accomplishments.

III.D. Recommendation: Under the National Office staff leadership, take action to improve freeze branding nationwide.

Discussion: As a corollary to an improved data system, readable freeze brands are critical on all wild horses and burros. The Team has observed that more attention needs to be given to seeing that all horses are freeze branded and that all those brands are readable.

IV. TRAINING

Background and Analysis

Since the inception of the WH&B Program, no formal program-specific training has been available for staff working in the program, including WH&B specialists, BLM law enforcement personnel and managers responsible for herd management areas and/or adoptions. All staff development has been in the form of on-the-job training and self-learning from manuals, handouts, etc. Personnel working in the program have a variety of educational backgrounds as there is no specific occupational series for WH&B specialists. The absence of formal training programs is one reason why there are differences in interpretation of policy and procedural requirements for the WH&B Program in different BLM offices.1/ Additionally, the need for some basic training in the program has increased in recent years due to retirements and substantial turnover in managerial positions with WH&B Program responsibility.

Under the leadership of the National Program Office, development of a 1-week basic foundations course for specialists, managers, and law enforcement personnel has been ongoing. Course development could be completed in FY 1997.

Success Indicator

- Ninety-five percent of WH&B Specialists, managers involved in the program, and law enforcement personnel are trained and fully knowledgeable about the laws, policies and regulations concerning the WH&B Program.

Recommendations and Discussions

IV.A. Recommendation: Complete all employee WH&B Orientation Module (about 1-hour video) by September 30, 1997, and show to all employees by December 31, 1997.

Discussion: This Policy Analysis Team concurs with the findings in the WH&B Program Evaluation Report of January 29, 1997, which says that training is needed for consistent compliance with policies and procedures in this Program throughout BLM. This recommendation is aimed at all BLM employees and would cover in generalities: the WH&B Program mission and goals, herd management, adoptions, and compliance. This video could also be shared with the general public and used by the broadcast media.

1/ From the "Pierson Committee's" Wild Horse and Burro Evaluation Report of January 29, 1997.

IV.B. Recommendation: Complete design of the Foundations Course for first offering scheduled for October/November 1997, with 95 percent of WH&B Program Specialists, managers, and law enforcement personnel trained within 2 years.

Discussion: Allegations of questionable activities on the part of BLM employees, contractors, and some public land users have eroded the public's trust and confidence in BLM's management of the WH&B Program. This training, when incorporated into action, would help reverse this perception by developing more informed and professional employees. This course would include: planning, establishing Appropriate Management Levels (AMLs), herd management, adoptions, compliance, etc. This course is largely already developed but will require modifications in line with accepted recommendations from this and the Wild Horse and Burro Program Evaluation Report of January 29, 1997.

IV.C. Recommendation: Complete design of WH&B Specialists Technical Training Modules by December 31, 1997, with initial offering in first quarter of 1998 and 95 percent of specialists completing within the subsequent 2 years.

Discussion: The diversity of backgrounds of the WH&B Specialists in the BLM has in many regards been a very positive influence in this program, with generating new ideas and better, more efficient methods of operation. However, formal in-depth program training would help to ensure professionalism and consistency in applying policies and procedures throughout BLM.

V. PUBLIC OUTREACH

Background and Analysis

Many BLM External Affairs Offices and public information officers have been very successful in promoting the WH&B Adoption Program. They have developed numerous publications in support of the program, produced radio and television public service announcements, and been interviewed thousands of times by broadcast media, particularly in support of satellite adoptions. A national newsletter, the "National Wild Horse & Burro News," is prepared and distributed to thousands of adopters. To date, the newsletter has focused on adoption success stories and advice on the care and gentling of wild horses.

Employees and volunteers help promote the adoption primarily by showing off their own well-trained mustangs at horse shows and adoptions. Some special BLM-supported partnerships such as the Kentucky Horse Parks' Mustang Troop, which utilizes the BLM wild horses that appeared in the Inaugaural Parade, help support the program and provide positive publicity.

Success Indicators

- Improved public understanding, and
- Increased public confidence in the WH&B Program.

Recommendations and Discussions

V.A. Recommendation: Expand the scope of the WH&B newsletter into more areas of the Program, e.g., herd management, issues, compliance procedures, etc.

Discussion: Overall, BLM's public outreach program for WH&B adoptions is very successful. Expanding the subjects covered in the national newsletter to include herd management, compliance procedures, etc. will promote a more informed public with a better understanding of program issues. Adopters themselves can assist the Bureau in resolving compliance and other issues with this additional information.

V.B. Recommendation: Support the establishment of a WH&B Foundation (private/nonprofit).

Discussion: The establishment of a WH&B Foundation would permit donations to BLM to assist with many aspects of the program, from herd management to care demonstrations at adoption events. There seems to be considerable public interest and potential support for such a private, nonprofit Foundation, and a model already exists from other agencies such as the National Park Service and the U.S. Forest Service. While the Foundation could be initiated by interest groups, it would take an Act of Congress to formally sanction this action.

V.C. Recommendation: Utilize the WH&B Advisory Board to develop and adopt a national Wild Horse and Burro Program Logo.

Discussion: The Eastern' States office logo, with three galloping wild horses in an oval format, is effective but does not include a burro. A national logo for both horses and burros will help improve the program's identity and support with the general public.

V.D. Recommendation: Issue national policy strongly encouraging seminars and training demonstrations for adopters and potential adopters as part of adoption events.

Discussion: Educational initiatives promote successful long-term adoptions, adopter satisfaction, and reduced compliance problems for BLM. These programs are being very effectively used currently by several offices, and should be expanded. The costs could be minimal because past adopters often volunteer their time and expertise, as do some farriers, veterinarians, and feed and equine care product representatives.

VI. MANAGEMENT and ACCOUNTABILITY

Background and Analysis

Prior to 1992, the national leadership and responsibility for the Wild Horse and Burro (WH&B) Program was located in BLM's Headquarters Office in Washington, D.C. In 1992, the national staff was moved to Reno, Nevada, under the direction of the Nevada State Director. This change resulted in one major improvement in the management of the Program--better coordinated national scheduling of gathers and adoptions. Having the national staff in the State with the largest wild horse population and the largest WH&B holding facility (located at Palomino Valley, Nevada) facilitated this improvement. Unlike most other BLM programs which are tied to the public land base, the WH&B Adoption Program operates on a nationwide basis and must be closely coordinated across Bureau organizations.

Aside from the scheduling improvements noted above, the Policy Analysis Team agrees with the findings and recommendations of the January 29, 1997, Wild Horse and Burro Program Evaluation Report, concerning placing the national Program under the direction of the Washington Office with the subordinate staff remaining in Nevada. We also agree with and support separating national staff responsibilities organizationally from the Nevada State Office. Our findings and recommendations are intended to complement those in the Evaluation Team's Report with more specific reference to the adoption component of the WH&B Program.

Achieving AMLs in Western Herd Management Areas (HMAs) will be highly beneficial to proper horse herd stocking, proper functioning rangelands, and reduced numbers of horses in the adoption program, and should be considered the foremost objective for the WH&B Program overall for the next 3 years. When AML's are achieved, the annual adoption workload will decrease potentially by about one-third. A reduced, stabilized workload could mean that the adoption demand for WH&Bs could exceed the supply of available animals, resulting in higher prices for animals under our newly published regulations allowing adoptions by auction for prices above the current adoption fee. Adopters who pay more could have a greater incentive to provide the long-term humane care which is the objective of the adoption program. BLM would then be in a strong position to carry forward with all of the recommendations in this report at approximately current budget levels.

Achieving AMLs and accomplishing some of this report's recommendations over the next 3 fiscal years will require some additional budget and staff resources.

Success Indicators

- Completion of AMLs for all HMAs by December 31, 2000,
- Stabilized number of animals available through the adoption program by FY 2002,
- A commitment to the effective and efficient management of the WH&B Program from top management through clear and concise direction, and
- Accountability for all employees who work in the WH&B Program.

Recommendations and Discussions

VI.A. Recommendation: Require State Directors to complete monitoring and environmental analysis to establish AMLs on each HMA by December 31, 2000.

Discussion: This foremost objective has ripple effects throughout the program. Once BLM is able to establish and maintain AMLs on each HMA, the gather and adoption program will level out and we should not experience the level of "crisis management" this program has been subjected to in the past. With the resulting stabilized adoption program, we could achieve a higher rate of compliance, and importantly, better conditions for the excess animals removed from the range and overall improving range conditions.

VI.B. Recommendation: Provide clear and concise WH&B Program direction from the Washington Office.

Discussion: The Washington Office can show its commitment to managing an effective and efficient WH&B Program by immediately issuing a clear and concise mission statement for this program. Additionally, policy guidance and regulations should be updated and reissued from the Washington Office. Much of the current direction was issued by the Nevada State Director. Many offices have not seen this or believe it does not apply to them.

VI.C. Recommendation: Initiate an Annual WH&B Stewardship Report by each Field Office to the State Office to the National Program Office to the Washington Office.

Discussion: Management reporting on WH&B Program stewardship is fragmented and incomplete. The annual stewardship reports will assist the Director's Office in managing the overall program. The annual stewardship reports would also be beneficial in building accountability into the program. They would include indicators which would reflect the responsibility, accountability, and credibility of BLM managers. It would include a status report on: funding allocation (pie-chart approach to define program emphasis), HMA/AML, maintenance and/or emergency gathers, adoptions, compliance, titling, training accomplishment, and a public affairs section on reactions to changes in the program, success stories, and areas of major public concern. The annual stewardship report should be scheduled to be completed in time so the individual state reports could be consolidated into the Annual Report to Congress.

VI.D. Recommendation: Continue the annual WH&B Specialists meeting.

Discussion: The WH&B Program is truly national in scope. The number of animals on the range affects the number of gathers and removals, which affects adoptions, and if animals are not adopted, money would have to be spent for feeding and care in corrals, directly taking money from gathers and affecting the number of animals on the range. Close coordination is vital in this program, and the annual meeting facilitates this, as well as a sharing of new ideas, status of the program in general, and new direction.

VI.E. Recommendation: Initiate assistance visits to every state involved in the WH&B Program on a 4- to 5-year cycle (2 to 3 states per year).

Discussion: Assistance visits by National Program Office and WH&B Specialists from other states would help improve consistency in national program implementation. It would also help in the sharing of ideas and experience to improve the program across administrative organizational lines.

VI.F. Recommendation: Include WH&B Program management, including implementation of the recommendations of this report and the WH&B Program Evaluation Report, as a special emphasis area in the performance standards for appropriate State Directors and District Managers.

Discussion: This recommendation will help insure that BLM's top managers direct and track implementation of the WH&B Program.

Appendix A

Team Members

Team Leader, Carson W. "Pete" Culp, Jr.	State Director	BLM, Eastern States
Cathy Barcomb	Executive Director	State of Nevada Wild Horse Commission
Linda Coates-Markle	Wild Horse and Burro Specialist	BLM, Montana State Office
Kim Fondren	Attorney Advisor	DOI, Solicitor's Office, Division of Lands and Water Resources
Kelly Grissom	Wild Horse and Burro Specialist	BLM, Arizona State Office
Terry Lewis	Chief, External Affairs	BLM, Eastern States
Art Lunckley	Special Agent	BLM, National Law Enforcement Office
Lee Otteni	Staff Assistant	DOI, Assistant Secretary's Office, Land and Minerals
Al Pierson	State Director	BLM, Wyoming State Office
Margaret M. Riek	Writer-Editor	BLM, Eastern States
Dick Stark	Range Management Specialist	BLM, Denver-Washington Office
Lili Thomas	Wild Horse and Burro Specialist	BLM, National Program Office

Appendix B

Wild Horse and Burro Questionnaire

There were 42 responses to the survey requesting adoption/compliance information from managers (16), law enforcement (4), and WH&B specialists (22). The number of responses by state ranged from 9 to 0, with only one state not responding.

When asked to comment on what changes in pre-adoption practices would increase the long-term retention of adopted animals, the specialists' main common responses were more intensive screening (including photos of facility), increased adopter education (seminars, video, etc.), pre-inspection of facilities, increased fees, and more compliance checks. Half of the law enforcement responses included the suggestion that the adopter own the facility. Managers agreed with increased compliance checks and adopter education. When asked if the compliance program was adequate, 66 percent of the specialists said "no," while 33 percent said "yes." Seventy-five percent of the law enforcement responses said "no," while managers were split with 50 percent "no" and 50 percent "yes" when responding if their compliance program was adequate. The need for training was strongly supported by the specialists and law enforcement with 100 percent saying training would be beneficial to doing their job while increasing consistency. However, only 64 percent of the managers thought that training was needed. When the specialists and law enforcement personnel were asked if a national database would be beneficial in helping them do compliance, 70 percent said "yes," 23 percent said they "didn't know," and 7 percent said "no." Managers on the other hand responded with 40 percent "yes," 30 percent said they "didn't know," and 30 percent said that "a national compliance module was not needed."

Most managers knew what the WH&B Program Lead's responsibility was and where that position was located (State Office, District Office or Field Office) with only 28 percent responding they "didn't know" or "weren't sure." Eighty-five percent of the managers responding to the question if they attend adoptions, said "yes." When managers were asked if they were notified of compliance results, 54 percent said "no." Thirty-eight percent said they were notified when there was a problem or the complaint was initiated by a special interest group. Only one manager said that he/she was regularly informed on the compliance program. When asked if it was generally understood that the horse was the customer, 31 percent "didn't know" or "weren't sure," 46 percent said "yes," and 23 percent said that "the horse was not the customer."

Summary of the Questionnaire: The variety of answers from the specialists and law enforcement respondents indicates a lack of consistency but a strong desire to make the program better. The specialists and law enforcement personnel demonstrated a strong belief in the adoption program while the managers were more divided. The differences in the answers between staff and the managers demonstrates a lack of program consistency and understanding of the intent/policy of

the program. There does not seem to be a concise vision of the WH&B Adoption/Compliance program or its direction. This inconsistency provides additional support to the need for training for specialists, managers, and law enforcement personnel.

Appendix C

Wild Horse and Burro Chronology

8000 BC	Horse became extinct on North American continent.
1500's	Spanish explorers reintroduced horses to North America.
1600's	Indians acquired horses.
1600's through 1950's	Escaped or abandoned wild horses and (later) burros roamed free on open range in West and Southwest. Habitat gradually shrank as settlement increased. Herd size was controlled by ranchers and also by mustangers who hunted the horses or gathered them for sale.
1959	Wild Horse Annie Act (PL 86-234) prohibited the use of aircraft to capture horses and burros on public lands.
1961	Nevada Wild Horse range, the first wild horse range, was established within boundaries of Nellis Air Force Base in Nevada.
1968	Pryor Mountain Wild Horse Range established on BLM-administered land in Montana.
1971	Wild Free-Roaming Horse and Burro Act (PL 92-195) provided for the protection, management, and control of wild horses and burros on public lands administered by the U.S. Department of the Interior through the Bureau of Land Management and the U.S. Department of Agriculture through the Forest Service.
1973	First wild horse adoptions took place in Pryor Mountains, Montana.
1974	Departments of the Interior and Agriculture appointed a nine-member advisory board to make recommendations on matters pertaining to wild horses and burros. BLM and the FS were authorized to remove approximately 3,929 excess horses and 63 excess burros. Due to difficulties encountered in capturing these animals on horseback, only 1,681 horses and 33 burros were captured. Approximately 900 horses and a few burros were made available to persons under maintenance agreements. The remainder were returned to the range, claimed by owners, or were destroyed.

1976 Federal Land Policy and Management Act (PL 94-579) amended the Wild Free-Roaming Horse and Burro Act to permit managing agencies to use helicopters to manage and/or remove excess animals.

BLM initiated a national program, the Adopt-A-Horse or Burro Program, to encourage horse enthusiasts to adopt animals gathered from public rangelands.

1978 Public Rangelands Improvement Act (PL 95-514) amended the Wild Free-Roaming Horse and Burro Act to allow adopters to obtain title to animals in their care, to require research study, and to establish an order and priority for removal of excess animals.

BLM started to freeze mark animals with permanent individual identification marks making it easier to distinguish a wild horse and burro from a domestic equine.

By 1978, 36 BLM herd management area plans and 29 FS territory plans had been developed since 1976.

1979 The first permanent holding facility in the East was established in Cross Plains, Tennessee.

1980 Little Bookcliffs Wild Horse Range was designated in Colorado.

1982 A congressional committee and the Office of Management and Budget recommended recovery of some of the costs of adoption. Adoption fees were increased to $200 for horses and $75 for burros. In addition to the base increased adoption fee, additional fees were added if the animal was transported from the facility where it was prepared for adoption to another adoption center. Before this time, the fee was between $0 and $145.

BLM Director and Forest Service Chief placed a moratorium on provision in the law to destroy unadopted excess animals.

National Academy of Sciences published the Final Report of the Committee on Wild and Free-Roaming Horses and Burros.

1983 Bills were introduced (but not passed) to amend the Wild Free-Roaming Horse and Burro Act to allow sale at auction of unadopted animals.

Adoption fee for a wild horse was reduced from $200 to $125 in response to public concern and reduced adoption demand.

1984 An emergency rule was published that gave the Director the authority to adjust or waive the adoption fee for animals unadopted at the standard fee. To maximize the effect of the rule and to avoid interfering with the regular adoption program,

BLM required that a minimum of 100 animals be involved in each fee waiver or reduction transaction. Approximately 700 otherwise unadoptable animals were placed as a result of this rule between May 1984 and September 30, 1984.

BLM eliminated transportation costs to adoption sites, making adoption fees uniform throughout the Country.

1985 Congress tripled program funding and directed BLM to triple removals.

BLM accomplished a record number of removals: 19,000.

Three holding facilities were in operation that could hold a capacity of up to 3,000 each (Bloomfield, Nebraska, Lovelock, Nevada, and Muleshoe, Texas) if needed. By the end of Fiscal Year (FY) 1985, more than 7,600 animals were being maintained in the contract facilities, and another 2,300 animals were being cared for in BLM's own corrals.

Contract was awarded for fertility control research project.

1986 Wild Horse and Burro Program regulations were revised.

Secretaries of Agriculture and Interior established a Wild Horse and Burro Advisory Board, which proposed a 5-step process for excess animals. Step 5 was humane destruction of unadopted animals.

First inmate-wild horse training program instituted in Colorado State Correctional Facility at Canon City, Colorado. (Prison training was one of the steps recommended by the Advisory Board.)

1987 Draft policy incorporating Advisory Board's recommendations was made available for comment. Public response opposed proposal to lift moratorium on destruction of unadopted animals.

Two new maintenance contracts were awarded for FY 1988 to existing facilities at Bloomfield and Lovelock.

California, New Mexico, and Wyoming instituted prison training programs.

1987 Contd.	BLM achieved record number of adoptions -- 12,776 -- through a combination regular and fee-waiver adoptions.
	U.S. District Court for Nevada prohibited BLM from adopting animals or transferring titles to adopters who had "expressed to the Secretary an intent, upon the granting of title, to use said animals for commercial purposes." The decision stated, however, that the BLM is not required to inquire about adopter intentions prior to approving adoptions or conveying titles or to reclaim animals whose titles had already passed to adopters.
1988	Congress prohibited use of FY 1988 funds to destroy healthy unadopted wild horses and burros. Same prohibition language in appropriations bills every year since.
	BLM issued guidance including most of Advisory Board's recommendations, but not destruction of unadopted animals.
	First sanctuary for unadopted excess wild horses was established in Western South Dakota. The total capacity was about 2,000 head.
	BLM terminated fee waiver program in September because of public and congressional concern and because of establishment of sanctuaries.
	Contract was awarded for one holding facility (Bloomfield) for FY 1989.
1989	BLM had four states with prison sites that were operational, and 1,700 wild horses received training prior to being offered for adoption.
	Second sanctuary was chosen in September near Bartlesville, Oklahoma.
	Removals were reduced or stopped in most locations from appeals by humane groups to Interior Board of Land Appeals. This led to a major population increase in the horse population.
1990	Another Wild Horse and Burro Advisory Board was charted in May for a 2-year term.
	BLM Director established a Wild Horse and Burro Steering Committee to focus on critical issues in the administration of the Wild Free-Roaming Horse and Burro Act.
1991	BLM issued the selective removal policy; all excess animals older than 9 years of age were returned to the range.

1991 Contd.	The South Dakota Sanctuary was not self-sufficient, and BLM signed agreements for continued maintenance of wild horses.
1992	BLM Director approved the program's first long-range strategic planning document. This was developed partly to respond to the significant increases in horse populations resulting from legal constraints to gathering beginning in 1989.
	The Division of Wild Horse and Burro Management was renamed the Wild Horse and Burro National Program Office and moved from Washington, D.C. to Reno, Nevada.
	BLM began reducing the number of wild horses in the sanctuaries through the adoption program in an effort to reduce costs at the sanctuaries.
	The selective removal policy changed from 9 years of age and younger to 5 years of age and younger would be removed from the range.
	BLM initiated a pilot fertility control effort.
1993	The Office of Inspector General initiated a review of the wild horse sanctuaries and the New Mexico prison training program.
	The South Dakota Sanctuary was closed and the remaining horses were shipped to the Oklahoma Sanctuary. The Black Hills Sanctuary became self-sufficient and still has approximately 200 wild horses.
1994	The Office of Inspector General's report was completed, recommending closure of sanctuaries due to high costs. As a result of this report, a strategy was developed to adopt out the remaining sanctuary horses. Also, as a result of this report, funding to the prison training programs was curtailed.
1995	Efforts to adopt o[illegible]er mares proved to be successful. However, geldings were not readily adopted by the public. Adopting these animals far exceeded the expense of maintaining them on the sanctuary.
1996	Emergency gathers started in July and continued to the end of September. These gathers were conducted in the Southern part of Nevada and on the Nellis Air Force Base. The emergency condition was caused by a lack of rain and forage. By the end of September, BLM removed 3,100 animals under emergency conditions. Despite the severity of resource conditions, very few animals died as a result of range conditions or the stress caused by gathering operations.

1996 Contd.

In August, the Wild Horse and Burro Program Emergency Team was established to investigate the emergency situation in Nevada.

1997

Starting in January, equine on the Nellis Air Force range were gathered again to reduce the number of animals on the range. A total of 778 animals were gathered, including 16 burros, with 201 animals released back into the herd management area. Since the Nellis herd consisted of older animals, it was recognized that some of these older stallions would be removed to the sanctuary, and some would be halter-trained.

The Wild Horse and Burro Adoption Program Policy Analysis Team, led by Pete Culp, State Director, Eastern States, was established in January to conduct a review of BLM adoption policies.

The Wild Horse and Burro Program Emergency Review Team's final report was issued in February. This report addressed herd management in Nevada as well as overall management in the Wild Horse and Burro Program.

In February, Law Enforcement personnel concluded their investigation on wild horses going to slaughter facilities. They found that one quarter of one percent of the animals slaughtered in a year's time were titled wild horses.

On March 7, the regulation to change the adoption fee became final. The adoption fee for each wild horse or burro is a minimum of $125 each. Mares with foals are a total of $250 for the pair. In addition, some adoptions may be conducted using a competitive-bidding process.

Appendix D

Fertility Control Research

Overview

Research in the Wild Horse and Burro Program over the last 5 years has focused on developing a safe, cost-effective tool for slowing the rate of growth of wild horse populations. The research has addressed four specific areas: (1) development of an immunocontraceptive vaccine which prohibits mare fertility for a period of 1 to 3 years; (2) development of a wild horse population model to be used for preparing fertility management plans and predicting population trends; (3) population dynamics studies to understand more about reproduction and mortality rates; and (4) behavior studies to evaluate the effects of fertility management on the health of the herd.

The Bureau is using products and information resulting from this research as they have become available (e.g., population modeling). The Emergency Evaluation team (Pierson Committee) recommended that the research program be reviewed and evaluated as to the merits of its continuation. The immunocontraception research is being continued and all other research is being held pending review.

The Bureau's long-range population management strategy is to continue the current removal and adoption program, but at reduced levels. This would be accomplished by administering an immunocontraceptive vaccine to mares on a given gather which are not removed, but returned to the public rangelands. This would render the inoculated mares temporarily infertile for a period of 1 to 3 years. The long-range goal is to reduce the reproduction by 50 percent, thus ultimately reducing the current removal/adoption levels by 50 percent as well.

Immunocontraception

The research approach to fertility control BLM is presently pursuing is known as immunocontraception. It is a mare-based fertility control technique whereby a female horse is inoculated with a vaccine that ultimately forms a temporary protective physical barrier around the ovum.

A pilot immunocontraception study was implemented in northeast Nevada in December 1992. The results of this pilot study have shown immunocontraception to be a viable, effective, and humane tool for reducing wild horse reproduction. The two-injection vaccine (requiring a booster shot after 30 days) was shown to be 100-percent effective in stopping reproduction, while the single injection vaccine proved to be 60-percent effective.

Researchers have reformulated the vaccine and now have one version, which still requires a booster shot after 1 week, and a second, multiyear vaccine which does not require a booster shot. Pen studies have shown both formulations to have a high efficacy rate. The goal is for a single injection, multiyear vaccine.

A second pilot project with the redesigned vaccines was initiated on the Nevada Wild Horse Range/Nellis Bombing and Gunnery Range in January 1996. This trial used both the two-injection, 1-week booster and the single injection, non-booster, formulations.

Data will begin to be gathered on the trial during the summer of 1997. This data will indicate the efficacy of the vaccine for 1 year and give indications of continued (multiyear) fertility control. According to the research team, the recent Nellis gathers should not have an impact on the quality of the data.

Population Model

An updated version of the wild horse population model was received from the University of Nevada, Reno, in June 1996 (the original model was received in September 1995), and is being used in planning for wild horse gather and management plans. Training on use of the model has been given in Nevada and Wyoming.

Behavioral and Population Dynamics Studies

The final report for the studies on behavior and population dynamics of two herds in Nevada was received in September 1996. The data from these studies is being used to update the population model and establish management criteria for implementing fertility management using the immunocontraceptive vaccine. The studies provided information on reproduction and mortality rates, as well as herd behavior, following selective removal gathers.